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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,767	04/01/2004	Randy Salo	000476C1	2795

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EXAMINER	
PRIETO, BEATRIZ	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/816,767	SALO ET AL.	
	Examiner	Art Unit	
	Prieto B.	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to RCE/Amendment filed 02/21/06, claims 1-5, 7-21 have been examined and remain pending.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/21/06 has been entered.

2. Claims 9, 16 and 21 contains the trademark/trade name a "Microsoft® Windows CE device". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe the remote access/subscriber's device and, accordingly, the identification/description is indefinite.

Claim Rejection under 103

3. Quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.

4. Claims 1-5, 7-9, and 17-21 are rejected under 35 USC 103(a) as being unpatentable over Jammes et. al. (US 6,484,149 B1) (referred to as Jammes hereafter) in view of Gregg et. al. (US 6,516,416 B2) (referred to as Gregg hereafter) in further view of (US 6,519,617) Wanderski et. al. (referred to a Wanderski hereafter).

Regarding claim 1, Jammes teaches a system as shown on Figs. 1-3, comprising:

the remote device having browser (102) capabilities to accommodate a request inputted by a "subscriber" user to access the "subscriber information" data (col 9/lines 1-8; col 6/lines 17-20, 41-58, user input see col 21/lines 11-14), said a "remote access" device (102) communicated via a "data" network (104) (Fig. 1, col 8/lines 34-41);

a "an application gateway" server (106) hosting the subscriber information (col 12/lines 1-10, col 6/lines 22-30 and information including col 6/lines 66-col 7/line 7), the application gateway server comprising:

a navigation module (350/352) for receiving data in a predetermined (e.g. HTTP and/or URL) format (see Fig. 3, col 17/lines 55-58) and accessing information (called "device specific") associated with said received data (col 9/lines 1-10, col 7/lines 8-17, 30-39, col 12/lines 1-10);

a data module (114) for obtaining (e.g. said subscriber) information requested (325/324 of Fig. 3, col 29/lines 29-38) and passing said subscriber information to the navigation module (Fig. 3, col 9/lines 10-21, 45-51, 65-66, col 8/lines 46-67 and col 16/lines 42-49);

a rendering module for obtaining "requisite browser" displayable data based on desired action (e.g. subscriber's request) (col 43/lines 55-63) and current state associated with said session (col 50/lines 1-30), including converting (354) requested subscriber information to a format specific to subscriber device specific format e.g. client readable format (col 7/lines 15-65) and

verifying subscriber identity using information inputted by the subscriber, including name, password or cookie (col 49/lines 15-32); however Jammes does not explicitly teach means ("session module") for maintaining "temporary" data about the subscriber, and where data provided by the rendering module is used by the navigation module to modify said received data for providing to said remote data access;

Gregg disclosure within the invention's field of endeavor, teaches a hosting server including a session (52) module (col 7/lines 42-47) for maintaining session related data (i.e. "temporary data") associated with a subscriber's session(s) (col 5/lines 21-24 & col 11/lines 19-30), and for communicating/interacting with a subscription access server (34) receiving

subscriber access requests (col 6/lines 41-45), session data including temporary data regarding a session (col 12/lines 1-13, 60-62); further teaching

a rendering module (74) for obtaining data based on desired action (e.g. apply for a different subscription) and current state (e.g. existing subscriber) (col 8/lines 39-67), the obtained data including browser related data "requisite" (col 36/lines 32-38);

an authentication module associated with said data source module for verifying subscriber credentials (authenticates: col 4/lines 50-54, validates or verifies; col 6/lines 26-31 based on subscriber information "credentials"; col 6/lines 66-col 7/line 27); however Gregg does not teach where data provided by the rendering module is used by the navigation module to modify said received data for providing to said remote data access; AND

Jammes does not teach claim limitation as presently added/amended where the accessed information (called "device specific information") is about/of the remote access device and the reformatting of requested information is particularly "based on the information regarding the user's remote access device".

Wanderski disclosure related to allowing end users to access information from a plurality of devices (Fig. 2), Wanderski teaches "wherein said rendering module communicates with said navigation module using browser related information provided by the rendering module modify the response data for said remote access device in accordance with said browser specific information". Specifically, wherein software "blocks" modules (col 9/lines 32-39) configured to perform the following functions: a software block (320) determines browser related information (col 10/lines 33-40), software module (330) using said information provided by module (320) (col 10/lines 8-23, 48-55), generating data for said remote access device in accordance with said browser related data (col 9/lines 21-27, 55-65, including assembling, col 10/lines 48-67).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the teachings of Jammes for accessing web sites in a e-commerce environment over the Web, the teachings of Gregg for improving subscription access system over the Internet would be readily apparent. One ordinary skilled in the art would be motivated to combine the teachings of Jammes and Gregg for customizing and/or personalizing the information provided to the consumer and/or subscriber, based on the browser type and the sites visited by the subscriber, providing client readable/rendable based on the obtained and stored browser type

device information making information frequently accessed readily available without user explicitly requesting it. One would be further motivated to modify data for remote access device according to the type of device, browser, network limitations or user preferences because in doing so download time and/or storage capacity need can be reduced dynamically, as suggested by, Wanderski.

Regarding claims 2-3, a database associated with said data source module (114 of Fig. 3), wherein said authentication module compares user data with user stored data, said user stored data being stored on said database (Gregg: authenticates: col 4/lines 50-54, validates or verifies; col 6/lines 26-31 based on subscriber information "credentials"; col 6/lines 66-col 7/line 27) and wherein said predetermined format comprises data in URL format (Jammes: Fig. 3, col 17/lines 55-58).

Regarding claim 4, wherein said subscriber information comprises enterprise specific information (Jammes: col 6/lines 32-40 and Gregg: col 1/lines 20-27).

Regarding claim 5, said navigation module extracts an action request from said data in the predetermined format (Jammes: col 17/lines 55-61), passes the action request to the data source module which retrieves any necessary information based upon the action request (Jammes: col 17/lines 61-col 18/line 15); and said navigation module retrieves a "browser specific screen" data corresponding to the action request from the rendering module (Jammes: col 7/lines 15-65 and Gregg: col 36/lines 32-38).

Regarding claims 7-9, the ability to receive information and data requests in remote access device specific formats and convert said information and data requests into data packets (Jammes: col 7/lines 15-65, col 17/line 61-col 18/line 15) and wherein the data network comprises the Internet (Jammes: col 5/lines 48-52, col 6/lines 14-21), wherein the data network comprises a dedicated network connection (Jammes: col 5/lines 48-52), and wherein the remote access device comprises a personal computer (Gregg: col 9/lines 1-15).

Regarding claim 17, this claim is substantially the same as limitations discussed on claims 1, 3, 10-11, same rationale of rejection is applicable.

Regarding claim 18, wherein verified credentials some reside on a (called "enterprise") database (Gregg: authenticates: col 4/lines 50-54, validates or verifies; col 6/lines 26-31 based on subscriber information "credentials"; col 6/lines 66-col 7/line 27).
Regarding claims 19-20, substantially the same as limitations in claims 1, 3, 10-11, same rationale of rejection is applicable and wherein said navigation module parses said URL subscriber request into identifiable segments, at least one segment comprising a requested action (Jammes; col 17/lines 55-col 18/line 5).

Regarding claim 21, this claim is substantially the same as claim 4, discussed above, same rationale of rejection is applicable.

5. Claims 10-16 are rejected under 35 USC 103(a) as being unpatentable over Jammes in view of Gregg (US 6,515,416).

Regarding claim 10, as discussed on claim 1, further comprising the steps of

receiving a "subscriber information" request in a predetermined format (e.g. HTTP and/URL) (Jammes: see Fig. 3, col 17/lines 55-58);

"navigating the access and transmission" parsing or scanning and/or analyzing the requested subscriber information (Jammes; col 17/lines 55-col 18/line 5),

said transmission of the requested subscriber information being in a "subscriber device specific" predetermined format (Jammes: see Fig. 3, col 17/lines 55-58); said access and transmission navigating step comprising:

"compiling" gathering or collecting subscriber information based on said subscriber information request (Gregg: col 8/lines 39-67 and col 36/lines 32-38);

"assembling" processing and displaying said subscriber information into a "device specific format" associated with the subscriber device, wherein said predetermined format for said subscriber information request differs from said subscriber device specific predetermined

format (Jammes: device specific format conversion col 7/lines 15-65 and browser type data col 36/lines 32-38); and

transmitting the assembled and rendered subscriber information to said subscriber device (Jammes: col 20/lines 45-col 21/lines 64, rendering accessed/retrieved content, col 6/lines 40-45).

Regarding claim 11, a database associated with said data source module (114 of Fig. 3), wherein said authentication module compares user data with user stored data, said user stored data being stored on said database (Gregg: authenticates: col 4/lines 50-54, validates or verifies; col 6/lines 26-31 based on subscriber information "credentials"; col 6/lines 66-col 7/line 27) and wherein said predetermined format comprises data in URL format (Jammes: Fig. 3, col 17/lines 55-58).

said navigation module extracts an action request from said data in the predetermined format (Jammes: col 17/lines 55-61), passes the action request to the data source module which retrieves any necessary information based upon the action request (Jammes: col 17/lines 61-col 18/line 15); and said navigation module retrieves a "browser specific screen" data corresponding to the action request from the rendering module (Jammes: col 7/lines 15-65 and Gregg: col 36/lines 32-38).

Regarding claim 12, parsing said subscriber information into an action task and a page specific task, and compiling content data based on the information identified on the parsing step (Jammes; col 17/lines 55-col 18/line 5).

Regarding claim 13, verifying user credentials using information maintained with subscriber information at a (called local) database (Gregg: authenticates: col 4/lines 50-54, validates or verifies; col 6/lines 26-31 based on subscriber information "credentials"; col 6/lines 66-col 7/line 27).

Regarding claims 14 and 16, wherein said subscriber information comprises enterprise specific information (Jammes: col 6/lines 32-40 and Gregg: col 1/lines 20-27).

Regarding claim 15, compiling comprises seeking requested information from a ("local") database (Jammes; col 17/lines 55-col 18/line 5).

Response to Arguments

6. Regarding claims 1 and 17 rejected as being unpatentable over Jammes in view of Gregg, it is argued (p. 9 of remarks) that the applied prior art does not teach added limitation, a navigation module which obtains device specific information regarding the user's remote access device and in connection with the rendering module, and reformats the requested information based on the device specific information. Specifically, Jammes does not teach claim limitation as presently added/amended where the accessed information (called "device specific information") is about/of the remote access device and the reformatting of requested information is as particularly added "based on the information regarding the user's remote access device".

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has fully considered.

Jammes teaches reformatting the requested information based on device specific information. Specifically, where Jammes teaches presenting information which is stored on a server in a format that is not readable by the client in a form of a client-readable web page (see column 7, lines 40-65).

Gregg teaches where the gateway server (34) can interact with a database (30) (col 6/lines 7-16) for accessing information stored thereon (see col 36, lines 27-31, col 8, lines 39-67) said information including device specific information such as type of browser used and operating systems used by the client (col 36, lines 32-38).

Wanderski teaches a rendering module which communicates with a navigation module using browser related information provided by the rendering module modify the response data for said remote access device in accordance with said browser specific information". Specifically, wherein software "blocks" modules (col 9/lines 32-39) configured to perform the following functions: a software block (320) determines browser related information (col 10/lines 33-40), accessing stored preferences and/or device specific limitations ("device specific") information of a remote access device associated with a received request to access information

(col 9/lines 65 to col 10, line 23), software module (330) using said information provided by module (320) (col 10/lines 8-23, 48-55), generating data for said remote access device in accordance with said browser related data (col 9/lines 21-27, 55-65, including assembling, col 10/lines 48-67). Specifically, automatically reformatting (e.g. transforming, translating and/or converting, col 8/lines 26-31, 44-col 9/line 6) based on the device specific information retrieved (col 3/lines 41 to col 4/line 15), where further device specific information includes a device type of the user and a browser type of the user (col 4/lines 60-64).

Arguments that the applied prior art does not teach accessing information of a remote access device and to reformat received data for said remote access device based on said accessed device specific information, have been considered but not found persuasive

7. Regarding claims 1 and 17 rejected as being unpatentable over Jammes in view of Gregg, it is argued (p. 9 of remarks) that the applied prior art does not teach added limitation, a navigation module which obtains device specific information regarding the user's remote access device and in connection with the rendering module, and reformats the requested information based on the device specific information.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has been fully considered. However, according to instant invention's disclosure: The rendering module locates the appropriate screen for the browser used and action desired and passes this to the navigation module [see 0026]. Rather, navigation module 502 merely receives URL data, acts accordingly by assembling the appropriate response to the URL action request, and returns browser appropriate data. Render or rendering module 504 provides the necessary browser specific information to the navigation module 502 for transmission back to the particular device [see 0073]. For any particular data needed to render the browser appropriate screen, the render module 504 obtains screen data from screen database 506 and passes that data to navigation module 502 [see 0074]. The navigation module 502 passes the screen type through to the render module 505 such that it can be used repeatedly, while passing through user data, such as headers for emails, as well as user data or user parameters, such as eight user specific e-mail headers, and thus tells the rendering module 504 what to place in certain locations within the browser page. Navigation module 502 therefore *hands off* the request for a particular screen,

email headers, title inbox, and so forth, to the rendering module 504, which locates the appropriate screen in the screen bank 506 and locates the necessary template, fills the template with the data provided by the navigation module 502, and passes the completed screen to the navigation module. Rendering module 504 may hold hundreds of screens, including several screen 8510s for the various types of user devices available. Rendering module 502 determines the type of browser being used by reading the header associated with the URL received and determines whether the device is a Netscape browser (if the word "mozilla" appears in the header), a Windows CE device if a Windows CE browser, and so forth. Once the type of device has been identified, *that information is passed to render to retrieve and compile* the appropriate information for transmission [see 0075]. Once the *navigation module has compiled the requisite information from* the session module, *rendering module*, and data access module, the browser specific data is sent back through interface module 501 and to the device [see 0078].

Claimed clause "wherein said rendering module interacts with said navigation module to cause said navigation module to reformat said data for said remote access device based on said device specific information", has been fully considered. Added clause has been interpreted [AS BEST UNDERSTOOD], "wherein said rendering module communicates with said navigation module using browser specific information provided by the rendering module modifies the response data for said remote access device in accordance with said browser specific information obtained".

It is respectfully noted that: (i) "interfacing", "interact" are a broad terms any communication reads on it, (ii) "to cause said navigation module" has been reviewed however, in view of recited in the specification, "navigation module 502 merely receives URL data, acts accordingly by assembling the appropriate response to the URL action request, and returns browser appropriate data. Render or rendering module 504 provides the necessary browser specific information to the navigation module 502 for transmission back to the particular device" [see 0073].

Thus, "to cause said navigation module" means that the navigation module merely receives and acts accordingly; (iii) "reformat" will be interpreted broadly in context with the disclosure cited, thereby, meaning assembling. In this case, Wanderski teaches software "blocks" modules (col 9/lines 32-39) configured to perform the following functions: a software

block (320) determines browser related information (col 10/lines 33-40), software module (330) using said information provided by module (320) (col 10/lines 8-23, 48-55), generating data for said remote access device in accordance with said browser related data (col 9/lines 21-27, 55-65, including assembling, col 10/lines 48-67 and/or including converting col 8/lines 44-col 9/line 6).

8. Applicant's arguments filed 02/21/06 have been fully considered but not rendered persuasive.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see http://pair-direct.uspto.gov or the Electronic Business Center at 866-217-9197 (toll-free).

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Beatriz Prieto
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